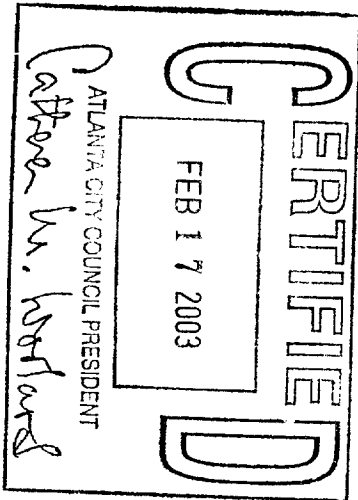


Entered - 12/31/02 - sb
CL02L0938 - DIANNE C. MITCHELL

CLAIM OF: **OLA M. HICKENBOTTOM**


4233 Jonesboro Road
Apt. CC-1
Forest Park, Georgia 30297

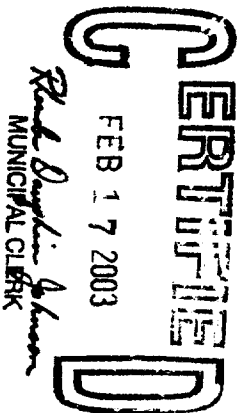
03- R -0178



For damages alleged to have been sustained as a result of personal injuries due to a fall on December 29, 2001 at 180 Peachtree Street.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



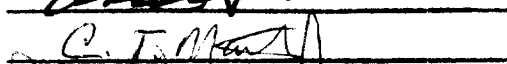
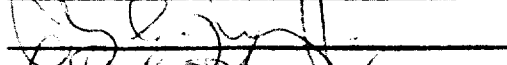
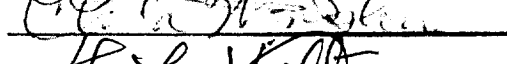
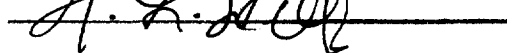
ADVERSED BY
CITY COUNCIL
FEB 17 2003

ADVERSE REPORT

COMM: Public Safety

DATE: 2-11-03

CHAIR: 



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

February 18, 2003

Ola M. Hickenbottom
4233 Jonesboro Road
Apartment CC-1
Forest Park, GA 30297

03-R-0178

Dear Ms. Hickenbottom:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 17, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0938

Date: January 29, 2002

Claimant /Victim OLA M. HICKENBOTTOM

BY: (Atty.) (Ins. Co.)

Address: 4233 Jonesboro Road, Apt. CC-1, Forest Park, Georgia 30297

Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated

Date of Notice: 12/24/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)

Date of Occurrence 12/29/01 Place: 180 Peachtree Street

Department Public Works Bureau: Highway and Streets

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when she fell on the sidewalk at the above location. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5, in that the six month statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X

Improper Notice More than Six Months X Other Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager: Concur/date 01-29-03

Committee Action: Council Action

RCS# 4470
2/17/03
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

2/17/03 FULL COUNCIL MEETING		
Items Adopted on the Consent Agenda		Items Adversed on the Consent Agenda
1. 02-O-0037	37. 03-R-0161	39. 03-R-0137
2. 03-O-0127	38. 03-R-0162	40. 03-R-0138
3. 03-O-0185		41. 03-R-0139
4. 03-O-0187		42. 03-R-0163
5. 03-O-0085		43. 03-R-0164
6. 03-O-0125		44. 03-R-0165
7. 03-R-0143		45. 03-R-0166
8. 03-R-0144		46. 03-R-0167
9. 03-R-0189		47. 03-R-0168
10. 03-R-0210		48. 03-R-0169
11. 03-R-0211		49. 03-R-0170
12. 03-R-0212		50. 03-R-0171
13. 03-R-0213		51. 03-R-0172
14. 03-R-0145		52. 03-R-0173
15. 03-R-0146		53. 03-R-0174
16. 03-R-0149		54. 03-R-0175
17. 03-R-0150		55. 03-R-0176
18. 03-R-0151		56. 03-R-0177
19. 03-R-0152		57. 03-R-0178
20. 03-R-0153		58. 03-R-0179
21. 03-R-0160		59. 03-R-0180
22. 03-R-0207		60. 03-R-0181
23. 03-R-0208		61. 03-R-0201
24. 03-R-0209		
25. 03-R-0141		
26. 03-R-0142		
27. 03-R-0140		
28. 03-R-0128		
29. 03-R-0129		
30. 03-R-0130		
31. 03-R-0131		
32. 03-R-0132		
33. 03-R-0133		
34. 03-R-0134		
35. 03-R-0135		
36. 03-R-0136		
<hr/> Consent I Vote: 14Yeas; 0 Nays: (See RCS #4470) Item Removed from the Consent Agenda: 03-R-0224		